

JAN 31 2012

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *J. Bright*
DEPUTY CLERK

ERIC JOSEPH DEPAOLA,
Plaintiff,

v.

LESLIE FLEMMING, *et al.*,
Defendants.

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Civil Action No. 7:10-cv-000561


FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the memorandum opinion entered on this day, it is hereby **ORDERED** and **ADJUDGED** that the DePaola's objections (ECF No. 76) are **OVERRULED**; the Magistrate Judge's Report and Recommendation (ECF No. 74) is **ADOPTED**; defendants' motions for summary judgment (ECF Nos. 23, 37, and 53) are **GRANTED**; DePaola's motions for summary judgment (ECF Nos. 49 and 62) are **DENIED**; DePaola's motion to compel (ECF No. 64) is **DISMISSED as moot**; and this action **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 31st day of January, 2012.



United States District Judge